

**Appl. No. 10/603,733**  
**Amdt. dated July 29, 2005**  
**Reply to Office action of April 29, 2005**

### **REMARKS/ARGUMENTS**

Applicants have received the Office action dated April 29, 2005, in which the Examiner: 1) rejected claims 4, 13, 16 and 18 under 35 U.S.C. § 112, 2d paragraph, as being indefinite; 2) rejected claims 1, 2, 4-6, 10, 11, 13-15, 19, 20 and 22-24 under 35 U.S.C. § 102(b) as being anticipated by *Ruka et al.* (U.S. Pat. No. 5,908,713); 3) rejected claims 3, 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Ruka et al.* in combination with *Darland, Jr. et al.* (U.S. Pat. No. 3,423,247); and 4) rejected claims 7-9, 16-18 and 25-27 under 35 U.S.C. § 103(a) as being unpatentable over *Ruka et al.* in combination with *Pham et al.* (U.S. Pub. No. 2004/0018298).

With this Response, Applicants have amended claims 1, 2, 4, 10, 11, 13, 16, and 18-20 and added new claims 28-33.

#### **I. § 112 REJECTIONS**

The Examiner has rejected claims 4 and 13 under § 112 because "[i]t is unclear which particles or both are being referred to." Similarly, the Examiner has rejected claims 16 and 18 under § 112 because "[i]t is unclear which electrode or both is being referred to." Applicants have amended claims 4 and 13 to recite "the first or second particles." Applicants have also amended claims 16 and 18 to recite "the fuel cell electrode" to specify which electrode is referred to.

Applicants believe these amendments fully respond to the Examiner's § 112 rejections and respectfully request withdrawal of same.

#### **II. § 102(B) AND § 103 REJECTIONS**

The Examiner has also rejected claims 1, 2, 4-6, 10, 11, 13-15, 19, 20 and 22-24 under § 102(b) as anticipated by U.S. Pat. No. 5,908,713 to *Ruka et al.*, rejected claims 3, 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Ruka et al.* in combination with U.S. Pat. No. 3,423,247 to *Darland, Jr. et al.*, and rejected claims 7-9, 16-18 and 25-27 under 35 U.S.C. § 103(a) as being unpatentable over *Ruka et al.* in combination with U.S. Pub. No. 2004/0018298 to *Pham et al.*

Applicants have amended the independent claims (and, therefore, the dependent claims) to recite that a monolayer of the particles is deposited on the

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substrate, shown in the instant application in Figure 4. Neither *Ruka et al.*, *Darland, Jr. et al.*, or *Pham et al.* disclose or suggest the deposition of a monolayer of particles onto the substrate. *Ruka et al.*, discloses particles of from 0.3 to 3 microns made into layers of from about 30 to about 80 or 90 microns. (*Ruka et al.*, col. 4, ll. 52-54, col. 7, ll. 2-7). Simple math dictates that the layers of *Ruka et al.* are at least 10 particles thick. Similarly, neither of the other cited references recite or suggest a monolayer or particles. Indeed, their disclosures teach layers of multiple particle depth applied in a single coat. Therefore, one of ordinary skill in the art, taking the cited references alone or in combination, would not be able to produce the recited monolayer. Thus, for at least this reason the now pending claims, as amended, are neither anticipated nor rendered obvious in light of the art of record.

### **III. NEW CLAIMS**

Applicants have added new claims 28-33 which recite that the application of a monolayer may be repeated. These claims are supported in the specification at, e.g., paragraph [0014], paragraph [0016], Figure 1, and Figure 2. None of the art of record teaches this repeated application of a monolayer. Thus, for at least this reason, Applicants believe new claims 28-33 are allowable and respectfully request allowance of same.

### **IV. CONCLUSION**

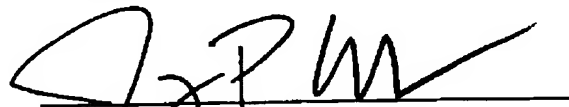
In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents

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accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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